

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, NORTHERN DIVISION

Richard Frank Howell, Jr. v. Nicole Nelson, Quality Correctional
Health Services, Dr. Gurley, and Warden Crosby

Howell · No. 2:25-CV-295-WKW · Decided December 3, 2025

SUMMARY

The United States District Court for the Middle District of Alabama screened a pro se prisoner’s 42 U.S.C. § 1983 complaint alleging denial of mental-health treatment and prescribed medication. The court found that the complaint did not adequately allege a policy or custom by Quality Correctional Health Services or specific conduct by the individual defendants, and that official-capacity claims for monetary damages were barred. The court granted leave to amend by January 5, 2026, and warned that failure to amend would result in dismissal.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama, Northern Division
WRITING FOR THE COURT	W. Keith Watkins
JURISDICTION	United States District Court for the Middle District of Alabama, Northern Division
DECIDED	December 3, 2025
DOCKET	2:25-CV-295-WKW
DISPOSITION	other
PROCEDURAL POSTURE	A pro se prisoner proceeding in forma pauperis brought a 42 U.S.C. § 1983 action alleging denial of prescribed medication and mental-health treatment. The district court screened the complaint under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A and found pleading deficiencies, but granted leave to amend.
STANDARD OF REVIEW	The complaint was reviewed de novo under the mandatory screening standards of 28 U.S.C. §§ 1915(e)(2)(B) and 1915A. The court applied the Rule 12(b)(6) plausibility standard, accepting factual allegations as true, liberally construing the pro se pleading, and dismissing claims that were frivolous, failed to state a claim, or sought relief from an immune defendant.

PRECEDENTIAL VALUE	unpublished district court memorandum opinion; nonprecedential
PARTIES	Richard Frank Howell, Jr. v. Nicole Nelson, Quality Correctional Health Services, Dr. Gurley, Warden Crosby

TOPICS

section 1983 prisoners rights pleadings qualified immunity civil procedure

PRACTICE AREAS

civil rights prisoner civil rights constitutional law federal civil procedure health law

QUESTIONS PRESENTED

1. Whether the complaint adequately stated a § 1983 deliberate-indifference claim against Quality Correctional Health Services without identifying a policy or custom that caused the alleged denial of treatment.
2. Whether the complaint adequately stated § 1983 deliberate-indifference claims against the individual defendants without alleging each defendant's personal involvement and conduct.
3. Whether official-capacity claims for monetary damages against the individual defendants were barred by Eleventh Amendment immunity.
4. Whether Howell should be given an opportunity to amend his deficient pro se complaint before dismissal.

HOLDINGS

1. The complaint failed to state a § 1983 claim against Quality Correctional Health Services because it did not identify a policy or custom of deliberate indifference that caused the alleged denial of medication or mental-health treatment.
2. The complaint failed to state deliberate-indifference claims against Nelson, Dr. Gurley, and Warden Crosby because it did not allege facts showing how each defendant personally participated in or caused the denial of medication or mental-health treatment.
3. Howell's claims for monetary damages against the individual defendants in their official capacities were subject to dismissal because such claims are treated as claims against the State and are barred by Eleventh Amendment immunity.
4. The court was required to give Howell, a pro se litigant, an opportunity to amend because a more carefully drafted complaint might state a claim.

KEY QUOTATIONS

"To establish liability on a deliberate indifference claim, a plaintiff must demonstrate that: (1) the injured party suffered a deprivation that was objectively 'sufficiently serious,' and (2) the defendant acted with 'subjective recklessness as used in the criminal law.'" (at 2)

“The complaint’s allegations fail to show a custom or policy of deliberate indifference by QCHS that would support a § 1983 claim.” (at 3)

“Because Plaintiff’s official-capacity claims for monetary damages against the individual Defendants are tantamount to claims against the State of Alabama itself, they are subject to dismissal” (at 5)

FACTUAL BACKGROUND

Howell alleged that, after being transported to the Elmore County Jail from Tallapoosa County, he was denied previously prescribed medication and mental-health treatment. He alleged that the denials began on March 30, 2025, and continued through the filing of his complaint. He sued a charge nurse, a physician, the warden, and the contracted healthcare provider, seeking treatment-related relief and compensation.

PROCEDURAL HISTORY

Howell filed a pro se § 1983 complaint while incarcerated at the Elmore County Jail. He proceeded in forma pauperis, triggering mandatory statutory screening. The court concluded that the complaint did not adequately plead claims against the private medical provider or the individual defendants and ordered an amended complaint by January 5, 2026, warning that failure to amend would result in dismissal.

DISPOSITION

other

CASES CITED

- Williams v. McNeil, 557 F.3d 1287, 1290 n.2 (11th Cir. 2009)
- Jeffries v. United States, 748 F.3d 1310, 1314 (11th Cir. 2014) (per curiam)
- Toussaint v. U.S. Attorney’s Office, 2025 WL 2237376, at *3 (11th Cir. Aug. 6, 2025) (per curiam)
- Neitzke v. Williams, 490 U.S. 319, 327–28 (1989)
- Hutchinson v. Wexford Health Services, Inc., 638 F. App’x 930, 932 (11th Cir. 2016) (per curiam)
- Bilal v. Driver, 251 F.3d 1346, 1349 (11th Cir. 2001)
- Denton v. Hernandez, 504 U.S. 25, 32–33 (1992)
- Douglas v. Yates, 535 F.3d 1316, 1320–22 (11th Cir. 2008)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Bilal v. Geo Care, LLC, 981 F.3d 903, 911 (11th Cir. 2020)
- GJR Investments v. Escambia County, 132 F.3d 1359, 1369 (11th Cir. 1998), overruled on other grounds by Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Wingo v. WellStar Health System, Inc., 2025 WL 3442596, at *4 (11th Cir. Dec. 1, 2025)
- Wade v. McDade, 106 F.4th 1251, 1262 (11th Cir. 2024) (en banc)
- Craig v. Floyd County, 643 F.3d 1306, 1310 (11th Cir. 2011)
- Will v. Michigan Department of State Police, 491 U.S. 58, 66–71 (1989)

- Kentucky v. Graham, 473 U.S. 159, 166 (1985)
- Cross v. Alabama State Department of Mental Health & Mental Retardation, 49 F.3d 1490, 1503 (11th Cir. 1995)
- Pennhurst State School & Hospital v. Halderman, 465 U.S. 89, 100 (1984)
- Seminole Tribe of Florida v. Florida, 517 U.S. 44, 59 (1996)
- Holmes v. Hale, 701 F. App'x 751, 753 (11th Cir. 2017) (per curiam)
- Barcelona v. Burkes, 2022 WL 15137410, at *2 (11th Cir. Oct. 27, 2022)
- Gilmore v. Hodges, 738 F.3d 266, 272 (11th Cir. 2013)
- Waldron v. Spicher, 954 F.3d 1297, 1304 (11th Cir. 2020)
- Hall v. Merola, 67 F.4th 1282, 1295 (11th Cir. 2023)

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